

Libby 001



**Fw: Restoration costs at OU-1 in Libby**  
**Victor Ketellapper** to: Jim Martin, Carol Campbell



11/04/2010 07:58 AM

Jim / Carol.

I thought you would find the latest email from Gordon Sullivan providing his perspective on EPA's work in Libby. By the way, the team is responding to the original questions and notified the requesters of EPA's intent to respond.

Victor Ketellapper, P.E.  
USEPA  
1595 Wynkoop St. (8EPR-SR)  
Denver, CO 80202

(303)312-6578

----- Forwarded by Victor Ketellapper/R8/USEPA/US on 11/04/2010 07:54 AM -----

From: "Rodriguez-Newstrom, Linda" <Rodriguez-NewstromL@cdm.com>  
To: Victor Ketellapper/R8/USEPA/US@EPA, Mike Cirian/R8/USEPA/US@EPA, Rebecca Thomas/R8/USEPA/US@EPA, Libby Faulk/R8/USEPA/US@EPA  
Date: 11/03/2010 10:49 AM  
Subject: FW: Restoration costs at OU-1 in Libby

**From:** gordon sullivan [mailto:gordsull@yahoo.com]  
**Sent:** Wednesday, November 03, 2010 10:38 AM  
**To:** wharton.steve@epa.gov; Rebecca Thomas; Virginia Sloan; vicky lawrence; u1st99@yahoo.com; Tony Berget; srainey@lockelord.com; sheryl.nordahl@usdoj.gov; sd4@libby.k12.mt.us; rsloan@mt.gov; rpayne@doneylaw.com; ropper@mt.gov; Rodriguez-Newstrom, Linda; robinsdesk@yahoo.com; rhymesa@cbsnews.com; perquiaga@eaglesvoice.com; Peggy Williams; parkers257@yahoo.com; news@montanian.com; mvolesky@mt.gov; montmac@frontiernet.net; michael.jamison@lee.net; mcnoble1151@gmail.com; mcdonald@wildblue.net; Lee Bothman; larry.anderson@mail.house.gov; Kirby Campbell-Rierson; jenniferkevin@yahoo.com; jeff; jbenhd1@hotmail.com; gs56b555@aol.com; eric.bierwagen@mail.house.gov; emack@lockelord.com; earle.sean@epa.gov; Duane Williams; Doug Roll; dhersman@hotmail.com; catharine\_ransom@baucus.senate.gov; brad@libbyasbestos.org; bpatt@sjlh.com; Bill Bischoff; barbdesch@gmail.com; armer.linda@epa.gov; adr@epa.gov; Michelle Hartly; FilmWest  
**Subject:** Re: Restoration costs at OU-1 in Libby

Michelle,

Of course EPA's lack of transparency is intentional! In the height of an OIG investigation regarding the with important information were not intentional you would see some willingness by EPA managers like Thomas to have the most to gain financially. We have taken the critical issue to the highest level we can as citizens, we have that has worked. However EPA arrogance in the person of Thomas, Cirian and others merely shows how important. What we should demand as voters is when the OIG investigation is complete ANYONE found to be in violation of EPA policy should be FIRED, including Lisa Jackson and her minions. investigation in 2006 when he stated HEADS Need to Roll in EPA. As frank as his statement was, NO EPA

transparency?  
violation of EPA policy?

innocent people continue to be exposed. We have placed our trust in EPA as well as our elected officials like at least we should feel we are not being purposefully "lied to" as we have been by the EPA for well over a de important information (MRI study, 1980-1982) The same federal government who now denies information v prosecute WR Grace for doing almost the same thing at a time when the stakes were far less than they are to Tester, and EPA's OIG need to fulfill their obligation to the fullest extent of the law, if not, we can conclude AND ROLL SERIOUSLY and this needs to start with those with the power to change what has gone on: May those heads should follow ANYONE in a state or local position who willingly enabled the breach of trust.. I at it, they are the only ones within the system who "we the voter" have recourse. As I have said before, EPA's in the end, disrupt an entire political relationship between voter and those voted into power and sadly only a are made. People throughout the nation are today questioning the trust they place in government, sadly only t like EPA cause the trouble but are nicely removed from the impact unless Senators press the issue. What will within EPA management or risk communications, will determine the temperament of Montana's next election taxpayers of Montana across the board, not to mention a potential tax burden for future generations by way o and ten years of broken promises and failed representation will be a HOT story indeed. We need to wait, let t ACCOUNTABLE if the results merit.

Keep up the good work!!!

Gordon Sullivan

--- On Wed, 11/3/10, FilmWest <filmwest@gmail.com> wrote:

From: FilmWest <filmwest@gmail.com>

Subject: Re: Restoration costs at OU-1 in Libby

To: "gordon sullivan" <gordsull@yahoo.com>, wharton.steve@epa.gov, "Rebecca Thomas" <thomas.rebecca@mt.gov>, "vicky lawrence" <montanavicky@gmail.com>, ulst99@yahoo.com, "Tony Berget" <tberget@libby.org>, srsloan@mt.gov, rpayne@doneylaw.com, ropper@mt.gov, rodriguez-newstroml@cdm.com, robinsdesk@mt.gov, Williams" <flourgardener@yahoo.com>, parkers257@yahoo.com, news@montanian.com, mvolesky@mt.gov, mc noble1151@gmail.com, mcdonald@wildblue.net, "Lee Bothman" <theprintingpress@gmail.com>, larry. <kirby\_campbell-rierson@baucus.senate.gov>, jenniferkevin@yahoo.com, "jeff" <jjmanson2000@yahoo.com>, eric.bierwagen@mail.house.gov, emack@lockelord.com, earle.sean@epa.gov, "Duane Williams" <klcb@fr.catharine\_ransom@baucus.senate.gov, brad@libbyasbestos.org, bpatt@sjlh.com, "Bill Bischoff" <billb@libby.com>, "Michelle Hartly" <michelle@filmwestllc.com>

Date: Wednesday, November 3, 2010, 9:20 AM

I have not received a response from anyone at EPA or DEQ.

I am surprised, actually, as I thought perhaps there was some chance that the lack of factual than intentional at the Administrative level.

Please, Steve Wharton and Jim Martin, we are asking you to require transparency and honesty will assist Libby Citizens' efforts to protect themselves. They have a right to know the facts.

The next public meeting should address the lack of a clear Plan, the current Storage site, the and Kootenai River (which ultimately affects the Pacific Ocean), and the subsequent increase Individuals, Small Businesses and Corporations have been fined Billions of dollars for less

We respectfully request your attention to these matters and responses to our questions regarding

Sincerely,

Michelle Hartly

Health + safety  
issues?

On 11/2/10 3:41 PM, "gordon sullivan" <gordsull@yahoo.com> wrote:

Michelle,

Well, November 1st has come and gone and I suspect you have not had a response from the health and safety. I for one, believe EPA has a responsibility to provide answers and this should be since they recently requested the OIG to address the very issue, EPA managers are purposeful. Senators Baucus and Tester have requested, it's just that simple. It is just this type of arrogance which sadly includes elected officials like Senators even when they do their best. EPA acts as if it doesn't have to follow even the basic laws under which they receive their mandate. That is why they so often wait for our answers, perhaps after the OIG investigation is complete, however this recent delay by Baucus and Tester to react accordingly when that time comes. Thanks for your efforts and hope.  
Gordon Sullivan

--- On Sun, 10/31/10, Michelle Hartly <michelle@filmwestllc.com> wrote:

From: Michelle Hartly <michelle@filmwestllc.com>

Subject: Re: Restoration costs at OU-1 in Libby

To: wharton.steve@epa.gov, "Rebecca Thomas" <thomas.rebecca@epamail.epa.gov>, "Viri Lawrence" <montanavicky@gmail.com>, ulst99@yahoo.com, "Tony Berget" <tberget@libby.k12.mt.us>, rsloan@mt.gov, rpayne@doneylaw.com, ropper@mt.gov, rodriguez-rhymesa@cbsnews.com, perquiaga@eaglesvoice.com, "Peggy Williams" <flourgardener@mvolesky@mt.gov>, montmac@frontiernet.net, michael.jamison@lee.net, mc noble1151@gn<theprintingpress@gmail.com>, larry.anderson@mail.house.gov, "Kirby Campbell-Rierson" <jenniferkevin@yahoo.com>, "jeff" <jjmanson2000@yahoo.com>, jbenhd1@hotmail.com, gseric.bierwagen@mail.house.gov, emack@lockelord.com, earle.sean@epa.gov, "Duane Will" <dproll@yahoo.com>, dhersman@hotmail.com, catharine\_ransom@baucus.senate.gov, braun <billb@libby.org>, barbdesch@gmail.com, armer.linda@epa.gov, adr@epa.gov

Date: Sunday, October 31, 2010, 9:46 AM

Ms Thomas,

As concerned and increasingly *exposed* citizens we have a right to receive your immediate

Sullivan, Councilman Orr and others regarding activities that affect all of our lives on OU1 regarding OU1 and OU2 by 5 pm Monday, November 1st, 2010. (tomorrow)

If Ms. Thomas does not answer by then, we are asking that her supervisor or her supervisor?

Thank you,

Michelle Hartly

On 10/27/10 7:48 PM, "DC Orr" <xcav8orr@hotmail.com> wrote:

Ms. Thomas;

You state in the Record of Decision that you are working closely Plans for City-owned OU-1. You have not met, in a formal, record of 2010. You refuse to answer questions from Council members.

You recently delivered Remedial Action documents dated Sept : Action Summary to the Council through Mayor Roll. These docum in secret negotiations with Mayor Roll of Libby and EPA's major r Chris Noble. I and the rest of the Libby City Council were left out property, City financial issues, and protection of human health.

I have 35 years experience dealing with these types of construc that changed from the first draft to the third.

EPA agreed to provide \$15,000 to the City for design-related ex for the drainage problems caused by previous EPA Removal Actio has already discussed manholes and piping needed to facilitate d

Mayor Roll and his friend Mr. Noble found an error in your origi 10% "fluff factor".

In the third box on the attachments provided in this email from topsoil, you can see this change in quantities reflected in your off yards in Scan 0002, dated 9-22-10 changes to 7587 cubic yards c

? who did we  
need with on ou1  
? who did we  
negotiate with?  
? drainage problems

large change, compared to the change in price.

Who changed the Unit Rate from \$24.25/cubic yard to \$47.53/cubic yard? \$200,000.00 being added to the cost of this project on a 10% fluctuation.

Remember, there were only three of you in this negotiation for your friend (your topsoil supplier) Chris Noble.

Who changed the Unit Rate to add \$200,000 to this project? Or  
I feel City business should be public business and have included  
please respond to the entire group. I will be sending the video so  
Sincerely, DC Orr